

The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.

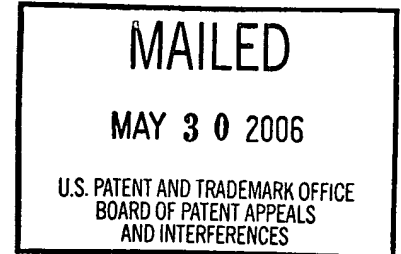
UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte DOUGLAS M. JENNINGS

Appeal No. 2006-1974
Application 09/696,458

Remand to the Examiner



This application was electronically received in at the Board of Patent Appeals and Interferences (BPAI) on February 6, 2006. A Docketing Notice was mistakenly mailed and an Appeal Number assigned on May 15, 2006.

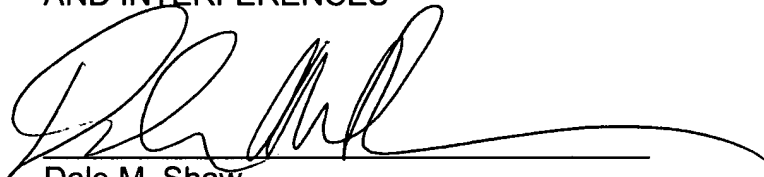
A review of the application has revealed that an Information Disclosure Statement (IDS) was scanned into the electronic file and available for viewing by the Board of Patent Appeals and Interferences on May 5, 2006. It is not apparent from the record that the examiner has considered the statement submitted nor notified applicant of why the submission did not meet the criteria set forth in 37 CFR §§ 1.97 and 1.98.

Application 09/696,458

Accordingly, the application is returned to the examiner for consideration of this IDS and for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By:

A handwritten signature in black ink, appearing to read 'D. M. Shaw', written over a horizontal line.

Dale M. Shaw
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